

According to both Dr. Shanks and Dr. Brenda Mercomes, Vice President of Academic Affairs, they met with the alleged victim in September 2010. During the meeting, various topics were discussed including the alleged incident. According to both Dr. Shanks and Dr. Mercomes, the victim provided no specific details of the alleged incident during this meeting, and failed to confirm the identity of her assailant. It should be noted that the alleged victim clearly identified her assailant in her handwritten statement that was received in HR on August 26, 2010. It should also be noted that there is no record at the College that this student took a course taught by this professor.

During our interview with Mr. Alexander, he informed us that the faculty member cited as the alleged perpetrator by the student, in both written and oral statements, had been dismissed in 2006 by Dr. Shanks due to separate allegations of a similar nature that had been formally filed. We reviewed a letter of termination dated December 1, 2006 from Dr. Shanks to the former faculty member. However, the College was unable to locate this faculty member's personnel file. According to Mr. Alexander, he has repeatedly searched for the personnel file, during his tenure of employment at the College, without success. Mr. Alexander did provide us with two folders that included multiple allegations of sexual harassment lodged against this former faculty member. We also interviewed Rosemary Mowring, the secretary to the Director of Human Resources from 1985 to 2010, who was accompanied by her union representative, Laverne Banks. During the interview, Ms. Banks stated for the record that no repercussions should be taken against Ms. Mowring based on the discussions of the interview. Ms. Mowring advised us that she gave the aforementioned personnel file to Dr. Shanks, during Dr. Shanks' time as interim Human Resource Director, and it was never returned to her. According to Dr. Shanks, she returned all personnel files to the human resources department before she ended her employment at the College.

The two reporting parties corroborated the fundamental facts noted above during our interviews with them.

#### *Findings:*

1. We determined that the alleged incident in the reporting parties' statements met the reporting requirements of the Clery Act based on the definition of the term "reportable offenses" listed in *The Handbook for Campus Safety and Security Reporting* (see definition below). Furthermore, the separate allegation that precipitated the dismissal of the faculty member also conformed to the Clery Act's reporting requirements.
2. As noted above, neither incident was reported. Additionally, our review of the Campus Crime Statistics on the Department of Education's (DOE) website for 2001 through 2010 revealed that the College reported zero "forcible sexual offenses – on campus" in 2003, the year in which the incident is first alleged to have been reported, and in 2006, the year in which a faculty member was dismissed in connection with a separate sexually related allegation. Furthermore, in 2008 and 2010, years in which the incident was reported to various officials of